THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS (SHRI K.H. MUNIAPPA): (a) The Indian Road Congress, an independent society, have formulated guidelines on the Standards of setbacks required *i.e.* the distance between building line from the road land boundary of National Highways within which building activities should not be allowed by States/Union Territories.

(b) There is no Central Legislation, Statutory Rule or Notification governing provision of said setbacks in respect of National Highways as the setbacks are beyond the Right of Way (ROW) of National Highways.

(c) and (d) Yes, Sir. The affidavit, mainly incorporating the statutory position with regards to standards of setbacks, has been filed on 22.10.2007 in the Panaji Bench of Bombay High Court at Goa.

Ships unloading hazardous waste at ports

1127. SHRI JANARDHANA POOJARY: Will the Minister of SHIPPING, ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that ships from developed countries regularly unload hazardous waste products, including medical, municipal, surgical, bio-medical and e-wastes, at the Indian ports for recycling in utter disregard to environmental and health concerns;

(b) if so, the details with instances of such kind during the last three years, port-wise;

(c) the action taken, if any, against the exporters and importers of such waste in the country; and

(d) the remedial measures, if any, taken to prevent such anchorage on Indian shores?

THE MINISTER OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS (SHRI T.R. BAALU): (a) No, Sir. There has been no instance of any ship from developed countries unloading hazardous waste products, including medical, municipal, surgical, bio-medical and e-wastes, in any of the major ports of the country.

(b) and (c) In view of (a) above, do not arise.

(d) A High Powered Committee on Management of Hazardous Wastes was constituted on 17.12.1997 in accordance with the Supreme Court Order dated 13.10.1997 to report the quantum and nature of Hazardous Waste lying at the Docks/Ports/ICDs and recommend a mechanism for its safe disposal or re-export to the original exporter. Its report submitted *inter-alia* contained the following recommendations:—

"6. On the basis of the reports of the analysis, zinc ash, waste oil and batteries held in/by the ports/customs/ICDs are recommended for sale to actual users who fulfil the following conditions:

(a) Valid authorization from the State Pollution Control Boards for handling of hazardous wastes under the hazardous Wastes Management and Handling Rules, 1989;

(b) Valid Consent letters from the State Pollution Control Boards under Air and Water Act;

(c) Environmentally accepted technology for recycling with proof of the existence/ operation of proper wastes disposal facilities.

(d) The Central Pollution Control Board (CPCB) will oversee and report on compliance of the conditions prescribed."